

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
CHARLES STURDIVANT,

Petitioner,

-against-

PHILLIPS, SUPERINTENDENT,

Respondent.
-----X

DEARIE, Chief Judge.

MEMORANDUM & ORDER

CV-03-4516 (RJD)

The transmission to petitioner of this Court's order dated April 24, 2008 was returned by his facility to the Clerk's Office with a notation indicating that petitioner is deceased. Using the electronic inmate database maintained by the Department of Corrections, the Court has independently confirmed that an inmate at petitioner's facility bearing petitioner's name and Department Identification Number (97A1574) is listed as deceased. The Court has also been furnished with a copy of the facility's internal "notification of death" with respect to petitioner. Accordingly, the Court hereby orders the petition dismissed as moot and directs the Clerk of the Court to close this case.

SO ORDERED.

Dated: Brooklyn, New York
May 14, 2008

s/ Judge Raymond J. Dearie

RAYMOND J. DEARIE
United States District Judge

*** REQUESTOR: 390IRC - Palmer, Judy Mohawk ***

*** S Y S M O U T B A S K E T P R I N T ***

MESSAGE ID: 087528 DATE: 08/10/06 TIME: 10:18am PRIORITY: 000

SUBJECT: INMATE DEATH 97A1574

===== EXPIRED =====

TO: WATCH COMMANDER
FROM: J. PALMER, IRC II
DATE: 8/10/06
SUBJECT: 97A1574 STURDIVANT, CHARLES - EXPIRED

THE ABOVE SUBJECT INMATE DIED ON WEDNESDAY, 8/9/06 IN
WALSH MEDICAL.

PLEASE FORWARD ALL RECORDS TO THE IRC OFFICE IMMEDIATELY!!!!

Chart Office I.D.
State Shop Walsh Med X-Ray

Draft
Package Room (2)

Sent to: PAROLE
390005
WALSH

<list>
General, Correspondence
<list>

(to)
(to)
(to)



BRIAN FISCHER
COMMISSIONER

STATE OF NEW YORK
DEPARTMENT OF CORRECTIONAL SERVICES
MOHAWK CORRECTIONAL FACILITY

6100 SCHOOL ROAD
P.O. BOX 8450
ROME, NEW YORK 13442
(315) 339-5232

LEO E. PAYANT
SUPERINTENDENT

FAX TRANSMITTAL

TO: Morgan J. Denny Phone #: _____
ADA Kings County Fax #: 718-250-2549
FROM: Judy L. Palmer, Inmate Records Phone #: 315-339-5232 X4100
Fax #: 315-339-5232 X4199
DATE: 5/12/08

There are 2 pages (including this transmittal).

Message:

Per our conversation - attached is a
copy of the facility notification of death
for inmate 97A1574 Sturdivant.

Please let me know if you need anything
else.

Thank you.

If you have any problems receiving this fax, please call me: _____

CONFIDENTIALITY NOTE:

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**OFFICE OF THE DISTRICT ATTORNEY, KINGS COUNTY**CHARLES J. HYNES
District Attorney

RENAISSANCE PLAZA at 350 JAY STREET BROOKLYN, N.Y. 11201-2908 (718) 250-2000

FACSIMILE TRANSMITTAL SHEET

| | |
|---|-------------------------------------|
| TO: | FROM: |
| John Quinn, Esq. | MORGAN DENNEHY |
| OF: | DATE: |
| EDNY | MAY 12, 2008 |
| FAX NUMBER: | TOTAL NO. OF PAGES INCLUDING COVER: |
| 718-613-2437 | 2 |
| RE: | OUR INDICTMENT NUMBER: |
| <u>Sturdivant v. Phillips</u> CV-03-4516 (RJD) | 6686/96 |

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE**Notes/Comments: Hopefully, this document will suffice to close out Mr. Sturdivant's case.**

IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CONTACT ME:

TEL: (718) 250-2515

FAX: (718) 250-2549

EMAIL: DENNEHYM@BROOKLYNDA.ORG

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